

Notice of Allowability

Application No.

10/517,437

Examiner

Elias Desta

Applicant(s)

GROSS ET AL.

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2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on November 22, 2006.
2. ☒ The allowed claim(s) is/are 14-18.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Detailed Action

Response to Amendment

1. The Examiner acknowledges and accepts the amendment to the drawing and abstract to correct minor informalities noted in previous office action. Applicant's amendment to the claims, see amendment, filed on November 22, 2006, with respect to claims 13 and 19-24 to overcome the 35 U.S.C. 112 second paragraph (claims 20-24) and 35 U.S.C. 102(a) (claims 13 and 19) have been fully considered and are persuasive. The rejection of claims 13 and 19-24 has been withdrawn. The Examiner acknowledges the cancellation of claims 13 and 19-24.

Allowance

2. Claims 14-18 are allowed. The following is an examiner's statement of reasons for allowance:

In reference to claim 14: Dunn (U.S. Patent 6,321,707) teaches an apparatus for supplying voltage to a plurality of loads in vehicle having a vehicle power supply system (see Dunn, Fig. 1, first and second battery) which includes an energy store that is connected in a starter circuit (see Dunn, Fig. 1, Starter (140) with first battery and second battery, units 110 and 120 respectively) element to a starter for starting an engine, and a second energy store that is connected in a load circuit

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element to load components (see Dunn, Figs. 2 and 3, first battery unit). The apparatus comprising:

- A source connected to a control module (see Dunn, Fig. 1, secondary battery);
- Coupling elements to individual remaining systems (see Dunn, solenoid elements, unit 180);
- A controller (necessarily includes a data processing unit), and a coupling element that is operable to connect the starter circuit element to the load circuit element (see Dunn, Fig. 1, the configuration); and
- A measurement device for providing data from which the data processing unit can determine a state of the respective energy stores in the starter and load circuit elements (see Dunn, column 6, lines 49-63), and data concerning current flowing through and voltage across a safety related load (see Dunn, column 5, lines 40-54), whereby it would be inherent that the data processing unit can continuously monitor a state of each respective energy store for the starter and load circuit elements as well as the safety related loads, and the paths to the safety related loads, and the data processing unit.

However, Dunn does not teach that the data processing unit uses voltage of the first energy store which is applied to respective related loads by associated disconnected coupling elements, for current free monitoring and determination of

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the availability of supply to the respective safety related load independently of the state of the load circuit element. The claimed invention further includes a controller which drives at least one of a coupling element and a safety device corresponding to determined availability of supply. Claims 15-18 are dependent upon claim 14 and contain further limitations.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elias Desta whose telephone number is (571)-272-2214. The examiner can normally be reached on M-Th (8:30-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on (571)-272-2216. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR

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only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.


Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Elias Desta
Examiner
Art Unit 2857

- E.d.

- March 22, 2007


CAROL S.W. TSAI
PRIMARY EXAMINER